

In re: The Mainline Corporation

Case No.: 05-30162-BKC-PGH

Prior to Debtor filing a voluntary petition under Chapter 11 of the Bankruptcy Code, Creditor provided marketing and consulting services for the sale of Debtor's products. Prepetition, Creditor was awarded damages in a state court proceeding against Debtor based upon quantum meruit. After the bankruptcy filing, Creditor failed to file a proof of claim before the claims bar date but filed a Motion for Allowance and Payment of Administrative Claim (the "Administrative Claim Motion") after the claims bar date. In the Administrative Claim Motion, Creditor claimed that Debtor received over \$900,000 postpetition from customers secured through Creditor's consulting services. Creditor asserted that he was entitled to a commission on these alleged contracts, and his commission claim should be classified as an administrative claim under 11 U.S.C. § 503(b)(1)(A). Debtor moved for summary judgment on the Administrative Claim Motion, arguing that Creditor did not provide any postpetition services to Debtor. The parties stipulated that Creditor was not employed by Debtor nor provided any services to Debtor on or after the petition date. The Court determined that Creditor's claim was not entitled to treatment as an administrative claim under 11 U.S.C. § 503(b)(1)(A) because Creditor did not perform any postpetition services for Debtor.